

UNITED STATES BANKRUPTCY COURT
FOR THE
DISTRICT OF MASSACHUSETTS

In re
ANDREW GREENHUT,
Debtor

IN PROCEEDINGS UNDER
CHAPTER 13
CASE NO.: 19-10782

**RESPONSE OF DEBTOR TO OBJECTION TO THE CONFIRMATION OF THE
DEBTOR'S SECOND AMENDED CHAPTER 13 PLAN**

NOW COMES, the Debtor, Andrew Greenhut, and hereby moves this Honorable Court, pursuant to MLBR 3015-1 and Chapter 13 Rule 13-8(c), hereby responds to the Objection of the Chapter 13 Trustee to the Confirmation of the Debtor's Second Amended Chapter 13 Plan as follows:

1. The Debtor, through his Counsel, has already proactively conferred this matter, as required by MLBR 3015-1 and Chapter 13 Rule 13-8(d), with the Chapter 13 Trustee's Counsel in order to clarify certain misperception and errors made by the Chapter 13 Trustee with respect to the Debtor's Amended Schedules filed contemporaneously with the Debtor's Second Amended Chapter 13 Plan. In particular, the Chapter 13 Trustee has, overlooked substantial changes expected by the Debtor with the birth of his child by his fiancée in December of 2020 as reflected in the attachment to the Schedule "J", showing the change in expenses after December 2020 from those reflected in the Schedule "J" which show expenses listed prior to the birth of the Debtor's child. The Debtor explained that his intent in showing changes in expenses and the step-wise nature of the Debtor's Second Amended Chapter 13 Plan both before and after the birth of his child was done in an

effort to demonstrate the Debtor's "transparency", given the allegations (albeit specious) of lack of "good faith" levelled against the Debtor by his former spouse.

2. After conferencing the matter with the Chapter 13 Trustee's Counsel, it was agreed that, rather than temporally "breaking out" the Debtor's expenses and the amount of the Debtor's Amended Chapter 13 Plan Payment in step-wise fashion, the Chapter 13 Trustee would rather prefer that the Debtor further amend his Schedules of Income and Expenses (Schedules "I" and "J") his Chapter 13 Calculation of Disposable Income (Official Form 122C-2) and his Chapter 13 Plan to reflect the averages or mean amounts of the figures utilized so that the Amended Plan can be more easily, if less precisely, evaluated by the Chapter 13 Trustee's Office.
3. In order to reconstruct and further amend the Debtor's Schedules of Income and Expenses (Schedules "I" and "J") his Chapter 13 Calculation of Disposable Income (Official Form 122C-2) and his Chapter 13 Plan, the Debtor requests that he be granted thirty (30) days within which to do so.

WHEREFORE, the Debtor respectfully requests that the Court grant the Debtor thirty (30) days within which to further amend the Debtor's Schedules of Income and Expenses (Schedules "I" and "J") his Chapter 13 Calculation of Disposable Income (Official Form 122C-2) and submit a Third Amended Chapter 13 Plan, along with the appropriate Motions to Amend, and grant all other relief deemed just and proper.

ANDREW GREENHUT, Debtor
By his Attorney,

Date: 6/10/2020

/s/ Richard N. Gottlieb, Esq.

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CERTIFICATE OF SERVICE

I, Richard N. Gottlieb, Esq., do hereby certify that I have this day served a copy of the Response of Debtor to Chapter 13 Trustee's Objection to the Confirmation of the Debtor's Second Amended Pre-Confirmation Chapter 13 Plan dated June 1, 2020, by First-class mail postage paid and/or electronically via the CM/ECF Electronic Messaging System on the persons listed below.

Date: June 10, 2020

/s/ Richard N. Gottlieb, Esq.

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PERSONS SERVED:

Carolyn Bankowski, Esq.
Chapter 13 Trustee
(Served via CM/ECF)

Alex Mattera, Esq.
Partridge, Snow and Hahn, LLP
Counsel to Gita Srivastava
(Served via CM/ECF)